IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.07.2006

C O R A M

THE HONOURABLE MR. JUSTICE P.SATHASIVAM

WRIT PETITION NO.11911 of 2004
& WPMP No.14005 of 2004

I.D.P.L.Employees Union,
No.5 & 6, Shopping complex,
I.D.P.L. Colony,
Nandambakkam,
Chennai-600 009. ... Petitioner

vs.

1.The Assistant Commissioner of Labour,
(Conciliation) 1,
Third Floor, Kuralagam,
Chennai-600 108.

2.Management of I.D.P.L.(Tamil Nadu) Ltd.,
Nandambakkam,
Chennai-600 089. ..Respondents

Petition under Article 226 of The Constitution of India for issuance of a Writ of Mandamus to forbear the second respondent not to alter the service condition of the employees whose names are furnished in the annexure to this affidavit including discontinuing their services or which will result in losing employment in violation of section 9A and 33 of the Industrial Disputes Act and till finality is attained on the dispute raised by the petitioner union on 15.03.2004 before the first respondent regarding regularisation .

For petitioner ... Mr.Balan Haridas
For 1st Respondent ... Mrs.D.Geetha,
Addl. Government Pleader

For 2nd respondent ... Mr.N.Ishtiaq Ahamed

O R D E R

By consent of both parties, the writ petition itself is taken up for disposal.

2. It is not in dispute that 34 employees whose names are annexed hereunder are still working under the respondents. Considering the facts and circumstances of the case, this Court is of the considered view that it is suffice to direct the respondents not to discontinue the services of the said 34 employees. Therefore, the respondents are directed not to discontinue the service of the 34

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employees till finality is attained by the lower authority in regard to the dispute of regularisation of the 34 employees.

Annexure

S.No.	Name	Department	Year of joining
1.	J.Srinivasan	Canteen Cashier/ issuing token	1980
2.	K.Anandan	Cook in canteen	1979
3.	P.Ramadoss	Cook in canteen	1986
4.	C.Shanthakumar	Sweeper/Cleaning	1986
5.	P.Sekar	Cook in canteen	1987
6.	E.Anandan	Formulation Helper	1988
7.	D.Shanmugam	Canteen Helper	1988
8.	K.Ramu	Formulation - Helper	1988
9.	C.Kumar	Formulation - Helper	1988
10.	R.Gajendran	Formulation - Helper	1988
11.	D.Karnan	Formulation - Helper	1990
12.	M.Rajendran	Formulation - Helper	1992
13.	K.Partheepan	Stores- Helper	1982
14.	Ramanammal	Civil - Sweeper	1979
15.	C.Nagaraj	Civil - Helper	1982
16.	G.Ramanaiah	Civil - Helper	1987
17.	J.Srinivasan	Civil - Helper	1987
18.	V.Sivakumar	Civil - Helper	1987
19.	Kondammal	Civil - Sweeper	1988
20.	V.Sivakumar	Civil - Helper	1990
21.	P.Krishnamurthy	G.M.Driver	1987
22.	S.Bernard	Formulation - Helper	1986
23.	M.Umamaheswari	Commercial - Typist	1998
24.	J.Sasikala	Accounts -Computer Operator	1998
25.	K.Gajalakshmi	Accounts - Computer Operator	1999
26.	M.Priya	Accounts - Computer Operator	1999
27.	Merlin Anitha	Stores - Typist	1999
28.	S.Yamunadevi	Accounts Clerk	2001
29.	R.Premila	Accounts - Bill	2001
30.	K.Kavitha	Accounts - Clerk	2002
31.	S.Anandhy	Civil - Typist	2001
32.	P.Vimala	Personnal Typist	1999
33.	K.Rajendran	Civil Helper	1990
34.	K.Hemavathy	Formulation Stores Assistant	2000

The writ petition is disposed of accordingly. No costs W.P.M.P.No.14005 of 2004 is closed.

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Sd/
Asst.Registrar

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Sub Asst.Registrar

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To

1.The Assistant Commissioner of Labour,
(Conciliation) 1, Third Floor, Kuralagam,
Chennai-600 108.

2.Management of I.D.P.L.(Tamil Nadu) Ltd.,
Nandambakkam, Chennai-600 089.

ONE CC TO M/S N. ISHTIAQ AHMED, ADVOCATE SR NO 33463

W.P.NO.11911 of 2004

28.07.2006

VC(CO)

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